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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA
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10 LOGAN LENOX GORE,

11 Petitioner,

12 v.

13 STATE OF WASHINGTON,

14 Respondent.

CASE NO. C12-5918 RBL-JRC

ORDER TO AMEND THE CASE
CAPTION

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16 The District Court has referred this petition for a writ of habeas corpus to United States

17 Magistrate Judge, J. Richard Creatura. The authority for the referral is 28 U.S.C. § 636(b)(1)(A)

18 and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner seeks relief from a state

19 conviction, thus, the petition is filed pursuant to 28 U.S.C. § 2254.

20 Petitioner has named only the State of Washington as respondent. Petitioner needs to

21 name a natural person -- not a governmental entity. The proper respondent is the person having

22 custody of petitioner. *See* 28 U.S.C. § 2242. This person is usually the superintendent of the

23 facility in which petitioner is incarcerated. Petitioner's failure to name the correct party deprives

1 this Court of personal jurisdiction. *See Stanley v. California Supreme Court*, 21 F.3d 359, 360
2 (9th Cir. 1994).

3 Petitioner is ordered to file a motion asking the Court to change the case caption and
4 name the proper respondent. Petitioner's motion must be filed on or before November 23, 2012.

5 Dated this 19th day of October, 2012.
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9 J. Richard Creatura
10 United States Magistrate Judge
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